

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ABDUL IDEEN,)	
)	3:08cv25
Petitioner,)	Electronic Filing
)	
v.)	Judge David Cercone
)	Magistrate Judge Caiazza
JEFFREY A. BEARD, <i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM ORDER

Abdul Ideen's Petition for Writ of Habeas Corpus was received by the Clerk of Court on January 31, 2008, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on February 5, 2008, recommended that the Petition for Writ of Habeas Corpus filed by Petitioner Ideen be dismissed and that a certificate of appealability be denied. The parties were allowed ten days from the date of service to file objections. Service was made on the Plaintiff by First Class United States Mail delivered to his place of incarceration, the State Correctional Institution at Houtzdale, Pennsylvania. Objections were due on or before February 22, 2008. Ideen filed a Motion for an Extension (Doc. 4) on February 15, 2008, which, upon review, is

actually more in the nature of objections to the report. In any event, the Court clearly lacks jurisdiction over the petition, and the Motion to Extend Time (Doc. 4) is DENIED.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the matters raised in the Petitioner's Motion for Extension of Time, the following order is entered:

AND NOW, this 7th day of May, 2008,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Abdul Ideen is dismissed, and a certificate of appealability is DENIED.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 3), dated February 5, 2008, is adopted as the opinion of the court.



David Stewart Cercone
United States District Judge

cc: Honorable Francis X. Caiazza
United States Magistrate Judge

ABDUL IDEEN CW-6127
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